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surveys, the preparation of reports, and other activities necessary to the discharge of its duties.

(e) When the Commission finds that publication of any information obtained by it is in the public interest and would not give an unfair competitive advantage to any person, it is authorized to publish such information in the form and manner deemed best adapted for public use, except that data and information which would separately disclose the business transactions of any person, trade secrets, or names of customers shall be held confidential and shall not be disclosed by the Commission or its staff: *Provided, however*, That the Commission shall permit business firms or individuals reasonable access to documents furnished by them for the purpose of obtaining or copying such documents as need may arise.

(f) The Commission is authorized to delegate any of its functions to individual members of the Commission or to designated individuals on its staff and to make such rules and regulations as are necessary for the conduct of its business, except as herein otherwise provided.

SEC. 6. ADMINISTRATIVE ARRANGEMENTS.—

(a) The Commission is authorized, without regard to the civil service laws and regulations or the Classification Act of 1949, as amended, to appoint and fix the compensation of an executive director and the executive director, with the approval of the Commission, shall employ and fix the compensation of such additional personnel as may be necessary to carry out the functions of the Commission, but no individual so appointed shall receive compensation in excess of the rate authorized for GS-18 under the Classification Act of 1949, as amended.

(b) The executive director, with the approval of the Commission, is authorized to obtain services in accordance with the provisions of section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), but at rates for individuals not to exceed \$100 per diem.

(c) The head of any executive department or independent agency of the Federal Government is authorized to detail, on a reimbursable basis, any of its personnel to assist the Commission in carrying out its work.

(d) Financial and administrative services (including those related to budgeting and accounting, financial reporting, personnel, and procurement) shall be provided the Commission by the General Services Administration, for which payment shall be made in advance, or by reimbursement, from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator of General Services: *Provided*, That the regulations of the General Services Administration for the collection of indebtedness of personnel resulting from erroneous payments (5 U.S.C. 46c) shall apply to the collection of erroneous payments made to or on behalf of a Commission employee, and regulations of said Administrator for the administrative control of funds (31 U.S.C. 665(g)) shall apply to appropriations of the Commission: *Provided further*, That the Commission shall not be required to prescribe such regulations.

(e) Ninety days after submission of its final report, as provided in section 4(b), the Commission shall cease to exist.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated such sums not in excess of \$1,500,000 as may be necessary to carry out the provisions of this joint resolution. Any money appropriated pursuant hereto shall remain available to the Commission until the date of its expiration, as fixed by section 6(e).

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the bill be taken by the Senate on June 5 agreeing to a conference with the House on Senate

Joint Resolution 71 and the appointment of the conferees be rescinded.

The PRESIDING OFFICER (Mr. MUSKIE in the chair). Is there objection?

Mr. RUSSELL. Will the Senator state the title of the joint resolution?

Mr. MAGNUSON. I shall explain it. Senate Joint Resolution 71 was reported unanimously by the Senate Commerce Committee, and at the same time the House passed a similar resolution in which there were some minor differences. At that time, the Commerce Committee thought the Senate might have a conference with the House on the matter rather than concur in the House amendment. To expedite the matter, we have since come to the conclusion that we would accept the House amendment. It is not a matter of substance.

The joint resolution provides for the establishment of a commission, proposed by the President, to make inquiry into food-marketing practices in the United States, including the price spread between the producer and the consumer.

The inquiry started in our committee under the able direction of the senior Senator from Wyoming, who concentrated upon the cattle problem as it involved the price to the producer and the price to the consumer.

The Senator from Wyoming conducted in-depth hearings on the matter. This joint resolution will now give the President authority to create the Commission. The difference between the House and Senate resolution is that the Senate provided for 2 years, and the House for 1 year. We were hoping that we might resolve this difference because the inquiry is complex and significant.

I do not like to call it an investigation, because we are not witch hunting, or pointing a finger at the villains of the piece, but we are trying to find out what the problem is in marketing and what the reason is for the spread between the farmer's price and the consumer's price.

In many cases it may be justified. A prime example being used is the 22-cent loaf of bread, and the 2 cents worth of wheat which the farmer provides.

Mr. ELLENDER. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. Let me finish my explanation, and then I shall be glad to yield to the Senator from Louisiana.

The Senator from Wyoming and our committee found real problems involved in meat marketing, including the role of chainstores, the role of the producers and the packers, and how it affects the housewife.

This is the purpose of the inquiry. I believe I have stated it fairly well. The President is desirous that we proceed immediately with the inquiry. Both resolutions now provide that there shall be five Members of the Senate, five Members of the House, and five public members on the Commission.

I believe that this inquiry is long overdue. The American people are anxious to understand the problem and know the reason for the spread between the cost to the producer and to the consumer.

I suggested during the hearings that we talk a little about fruit, in which many people are interested. Take the cost spread in apples, for example. A producer receives 2½ cents a pound for a real fine Washington Delicious apple, whereas in the store it will be sold for 2 pounds for 35 or 39 cents.

In all fairness, I say that there may be good reason for this disparity in the price, but I believe that we should find out what the reason is for that disparity.

Now I am glad to yield to the Senator from Vermont, first, because he has been waiting a long time to be recognized.

Mr. AIKEN. I have been very much interested in what the Senator from Washington has just said. Although there are half a dozen agencies—

The PRESIDING OFFICER. The time of the Senator from Washington has expired.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that I may be permitted to proceed for 5 additional minutes.

Mr. MANSFIELD. Mr. President, I am constrained to object, because we are trying to accommodate as many Senators as we can and we have already gone 25 minutes beyond the original 15 minutes agreed upon.

I will not object at this time.

Mr. AIKEN. Mr. President, I should be glad to have 2 minutes of my 60 minutes used for this purpose.

Mr. MANSFIELD. I will not object.

Mr. AIKEN. Mr. President, although there are half a dozen agencies which have carried on a study of this nature, it has continued for a long time, and nothing has been done. The real reason for the trouble has not been brought to life, so it now behooves Congress to take such action in this field as may be necessary.

The Senator from Washington mentioned the meat situation. I do not know whether he has been reading the financial reports of the packing companies which have been issued recently; but the one that had the poorest record this year, compared with last year, shows a gain of 32 percent in profits over last year.

The one I have seen shows the highest increase in profit to be 79 percent. There may be good reason for it. Perhaps it is due to investments abroad. That may be the answer. If that is the answer, I believe the public is entitled to know that that is the reason. The public should know why prices constantly drop to the farmer and still do not drop to the consumer. I compliment the Senator.

Mr. MAGNUSON. The Senator from Vermont makes a good point. A correlated effort must be made by the various agencies. They must not be going off in different directions.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. ELLENDER. I expressed the hope earlier that the Commission would be organized. The question is whether the method of appointing the 15 members of the Commission is the method the Senate Members to be appointed by the presiding officer of the Senate?

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Mr. MAGNUSON. Yes; and the House Members by the Speaker. The President will appoint the public members.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. MILLER. I merely wish to add my hope that the Commission will do a good job. It is a very important one. I should like to add the suggestion that when the Commission is established, particularly with respect to the public members, great care be exercised in the appointment of the public members, so that the public will have confidence in the report and in the work of the Commission. For example, it might well be that a member of the livestock industry should serve on the Commission. There are members of the livestock industry and then there are members of the livestock industry, if the Senator knows what I mean. The same is true of members of the apple industry. I am sure the Senator from Washington understands. The appointments should represent the consensus of the majority members of the industry involved, so that people can look with confidence at the work of the Commission.

Mr. MAGNUSON. I am sure the President of the United States will take those matters into consideration. I wish to yield to the Senator from Wyoming (Mr. McGee) on his time. He has done an excellent job in getting this program off the ground in a series of hearings. He knows a great deal about the subject.

I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. Will the Senator restate his motion?

Mr. MAGNUSON. I move that the Senate concur in the House amendment to Senate Joint Resolution 71.

The PRESIDING OFFICER. Does the Senator have the official papers to present at the desk?

Mr. MAGNUSON. I shall wait. I believe the papers are on the way. When they are received I shall be notified, and then I shall renew my motion.

I yield to the Senator from Wyoming. The PRESIDING OFFICER. The time of the Senator has expired.

The question is on agreeing to amendment No. 1052, proposed by the Senator from Montana (Mr. Mansfield) and the Senator from Illinois (Mr. Dirksen), in the nature of a substitute.

Mr. McGEE. I believe the Senator from Washington has yielded to me.

The PRESIDING OFFICER. All time has expired under the unanimous-consent agreement.

Mr. McGEE. I yield myself 30 seconds from my own time on the civil rights bill.

In order to conserve the time of the Senate, and to preserve my 60 minutes, should I need them later, I am pleased that the Senate is taking this action today. I concur in the House amendment and I urge that the Senate concur in the amendment so as to get this vital study under way. I am pleased to consent that my full statement be made a part of the Record at this point.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT BY SENATOR MCGEE

I am pleased that the Senate is taking action today which will expedite the establishment of a National Commission on Food Marketing. However, there is one provision of the pending bill which concerns me. This is the limitation of the Commission to a 1-year duration and \$1½ million in funds.

It is doubtful whether the job which we are expecting the Commission to do can be completed in this time and with these funds.

Once the bill is passed, the members of the Commission must be appointed and brought together. The Commission must recruit and organize a professional staff. It must develop operating procedures. It must review and evaluate a massive volume of existing data and research findings. It must determine what additional information is needed and how and where it can be obtained. It will be expected to hold public hearings throughout the country. It must assemble additional information from many sources, including field surveys, personal interviews, inspection of books and records, reports and questionnaires, correspondence, and by other appropriate methods. It must cover a wide range of important agricultural commodities. It must include all stages of the marketing process from the producer through the assembler, processor, wholesale and retail distributor to the consumer. It must evaluate all of this material, make statistical analyses and arrive at significant findings and conclusions. It must prepare written reports covering all of its findings and conclusions.

Many people have been conducting research on the structure of the food industry for many years. These studies have provided partial insights into specific commodity and functional areas. However, they have not filled enough of the gaps to provide a real understanding of how our food marketing system works.

We cannot gain the necessary understanding with another partial effort. This study must get into areas of market operations which have not been covered by past research. It must provide a much needed understanding of the marketing system as a whole and not just a series of descriptive reports on individual commodity or problem areas.

Secretary Freeman has said that "This is the most significant inquiry to be proposed since the late Senator Joseph C. O'Mahoney launched the historic Temporary National Economic Committee (TNEC) in the late 1930's." I agree with this judgment. I would remind my colleagues that the work of the TNEC extended over nearly a 3-year period. The law establishing the TNEC was approved on June 16, 1938, and the Commission completed its work on April 8, 1941. It published 43 monographs on important areas of economic activity, and an additional 81 volumes and 6 supplements covering the public hearings which it held during this period.

You also are acquainted with the more recent work of the bipartisan Hoover Commission which was set up in 1947 to study the organization of the executive branch of the Government. The Hoover Commission spent 2 years and issued 15 reports in the course of its initial study. In 1953 a second Hoover Commission was established, and it spent an additional 2 years following up on the work of the first Commission.

I believe that we should expect the National Commission on Food Marketing to do the same type of job which was done by the TNEC and the Hoover Commission. I am pleased that the House amendment so that the work of the Commission can be started now and the potential pitfalls of a confer-

ence, so close to the end of the session, can be avoided. I shall certainly be prepared next year, however, to support an extension of the life of the Commission so that its work may not be prematurely foreclosed.

LAOS AND SOUTH VIETNAM

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the Record an article, published today in the Washington Post, on a statement, emanating from the State Department, seeking to rationalize further its course of illegal action in Laos and South Vietnam.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

U.S. REPORTS LAOS ACCORD ON FLIGHTS
(By Warren Unna)

The United States and Laos Premier, Prince Souvanna Phouma, have reached a "clear understanding" on continuing the controversial U.S. jet photo-reconnaissance flights over Laos at necessary intervals, the State Department declared yesterday.

But in the Laotian Capital of Vientiane, Souvanna gave a slightly different twist to the matter. He told a news conference the U.S. jet flights had been provisionally suspended, but would be resumed if there is evidence of further (Pathet Lao) troop movements.

These comments came just as the Communists, for the second time within a few days, charged that U.S.-made AT-6 and T-28 planes bombed and strafed Pathet Lao headquarters.

State Department officials countered that no U.S. pilots were flying these propeller-driven planes, but that Lao pilots, for some time now, had been using these U.S.-supplied planes for their own bombing missions.

On Capitol Hill yesterday, Senator WAYNE MORSE, Democrat, of Oregon, the administration's severest critic of its southeast Asian policy, accused the United States of acting like "an international outlaw in pursuit of its own nationalistic objectives."

MORSE warned that U.S. jet flights over Laos endanger "peace, security, and justice in the United States" and are serving to escalate this country into a full-scale war with Laos' neighbor, Communist China.

At stake are the Laos peace accords reached at the 1962 Geneva International conference. Both the United States and Premier Souvanna have accused the Pathet Lao and their Communist North Vietnamese backers of violating the Geneva strictures against defiling Laos' neutrality with foreign troops and new equipment.

Both the United States and Souvanna look upon observance of these accords as the only possible way to put the Laos pack of cards back together again.

But now Communist North Vietnam and Communist China, as well as Senator MORSE, have accused the United States of being the guilty party by introducing not only jet photo-reconnaissance planes but armed jet fighter escorts.

State Department spokesman Richard I. Phillips repeated yesterday that both the United States and Souvanna's government had agreed that these flights were necessary to assume preventive detection responsibilities no longer being met by the International Control Commission (ICC), composed of India, Canada, and Poland.

Phillips also said at his noon briefing that both the United States and Souvanna's government now have agreed not to discuss any "operational" aspect of the jet flights. This "operational" aspect will be left out on future news about the armed jet fighter escorts.

It was learned yesterday that Premier Souvanna, distressed by the Pathet Lao anti-

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aircraft fire on the U.S. jets, had agreed to the U.S. request for the armed fighter escorts—but on the assumption that the escorts would be Lao planes piloted by Lao pilots.

The United States, aware that the planes it has been giving the Lao Air Force are only propeller driven and incapable of keeping up with jets, worked on the contrary assumption that U.S. owned and piloted escort jets were needed. And U.S. officials went ahead and introduced them into Lao air space.

Souvanna had been out of circulation until yesterday because of consultations with King Savang Vatthana in his isolated capital of Luang Prabang.

The moment Souvanna returned to Vientiane yesterday, U.S. Ambassador to Laos Leonard Unger conferred with him and word of the "agreement" emerged.

Mr. MORSE. Mr. President, in commenting on the falsification which emanated yesterday from the State Department, by means of its spokesman, in attempting to rationalize its illegal course of action in regard to Laos and South Vietnam, the fact still remains that the United States now stands in violation of both the Geneva accords of 1954 and 1962, and the United Nations Charter, and in violation of the Constitution of the United States. It objects to my use of the word "outlaw." But the sad fact is that the United States has joined the outlawry of Red China, Laos, North Vietnam, and South Vietnam.

I ask unanimous consent to have printed in the RECORD an editorial which is published today in the New York Times. At long last, the editor of the New York Times is beginning to read something besides his own editorials. He is beginning to recognize the desirability of participation by the United States in a 14-nation conference on southeast Asian problems in keeping with the framework of international law. At long last he recognizes that the United States should return to the observance of international law. I am delighted to find that a realization of the necessity for observance of international law is beginning to dawn on the editor of the New York Times.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ASIAN CONFRONTATION

Two U.S. planes have been shot down in Laos and now American armed fighter plane escorts are shooting back. The situation is deteriorating in Vietnam as well as in Laos and, by reflexion, in Cambodia, Thailand, and all of southeast Asia. When or how is the shooting going to end? When or how is the steady, if slow, advance of the Communists in the region going to be stopped?

The power factor in southeast Asia that really counts is the confrontation between the United States and Communist China. They are still at some distance from each other, but the gap is closing. When Under Secretary Ball and President de Gaulle conferred the other day, they agreed that southeast Asia should be denied to the Communists, but they disagreed on how this goal was to be achieved.

General de Gaulle insists with reason that no settlement of the Indochina conflict is possible without the participation of Communist China. This is the dominating factor. China is there; the United States

is 10,000 miles away. Chinese power radiates over the whole of Asia from India to Korea.

The nub of the question is the American belief that a withdrawal of our military support would leave a vacuum which the Red Chinese would inevitably fill—not to mention the fact that, for better or worse, we have commitments that we must honor. The De Gaulle argument is that China has enough problems with Russia in the north, India in the west, and the United States in the east, not to mention a strained economy, to be willing to leave southeast Asia more or less alone—on the condition that China felt there was no longer any reason to fear a threat from the United States in that area.

There is no ideal solution; but it has seemed to this newspaper that the most practicable one is, in the broadest possible terms, a guaranteed neutralization of all states that formerly made up Indochina. What this means is that the interested powers—including particularly the United States, the Soviet Union, and Communist China—would mutually and gradually withdraw militarily from that area and would at the same time guarantee the independence of the respective states, possibly with a U.N. presence to enforce it.

Obviously such a solution is risky and might not work out in practice, but the risks will be great no matter what is done, and will be still greater if the outcome is left to the hazards of military escalation.

The entire problem deserves exploration in another conference of the 14 nations, Communist China included, that have been concerned with southeast Asia since the Geneva Conference of 1962. The decisive confrontation of the United States and Red China should be over a negotiating table, not with arms. In the long run, this will only be possible when Communist China is a member of the United Nations and when Washington can speak to Peking in the normal course of diplomatic exchanges between two nations that recognize each other.

The U.S. Department of State is caught in its own web of gross misrepresentation of warmaking policy in South Vietnam and Laos. Yesterday I pointed out in a Senate speech and on an American Broadcasting Co. television interview that we are an outlaw nation in South Vietnam and Laos. The State Department, obviously stung by my statement, issued a statement to John Scall, of ABC, who covers the State Department for ABC. John Scall, over a telecast last night, June 11, 1964, reported as follows:

TEXT OF A BROADCAST BY JOHN SCALL, OF ABC NEWS, FOLLOWING A FILM OF SENATOR MORSE'S COMMENTS ON LAOS, ON THE RON COCHRAN NEWS, ON ABC-TV, 6:30 P.M., JUNE 11, 1964

Here at the State Department, the highest officials flatly and emphatically disagree with Senator Morse's contention we've become an outlaw nation in southeast Asia.

In sending American reconnaissance planes over Laos, even those protected by jet fighters, the State Department takes the position we're responding to an appeal for help from the legitimate government of Laos, as we are in Vietnam.

And such emergency assistance is not banned by any article of the United Nations Charter.

As for Senator Morse's claim this is the way to start a war, the State Department replies this show of force is the only way to stop a little war before it becomes a big war.

The alternative—to do nothing, to rush to the U.N. instead—would only give the Communists a free hand in southeast Asia. While the diplomats argue about what to do, the situation is getting worse and worse. This is John Scall at the State Department.

The alibi of the spokesman for the State Department in such gross misrepresentation that it amounts in fact to lying to the American people. It is time that someone properly label the misrepresentations of the State Department for what they are.

When the State Department tries to justify the use of American planes over Laos, both unarmed and armed, it failed to tell the American people that the Geneva accords prohibit such action by any country.

When the American planes dropped bombs and strafed they committed acts of war and made our country an aggressor nation. When our country resorted to acts of aggression instead of taking the violation of the Geneva accords to the United Nations, it walked out on its obligations under the United Nations Charter. It violated not only articles 33, 37, and 51 of the charter but it violated the entire spirit and content of the charter. It violated our pledge to seek peaceful procedures for the settlement of threats to the peace rather than resort to military might.

When the State Department denied that our country's military course of action endangered peace in Asia it simply did not tell the truth. It knows that since the United States started its illegal military action in South Vietnam there has been an increasing mobilization of Red Chinese troops along parts of its borders nearest to Laos and South Vietnam. The State Department knows that Red China cannot be counted upon to stand by militarily immobilized in the face of American military actions in Laos and South Vietnam. If the United States escalates the war with North Vietnam the State Department knows the probabilities are great that Red China will start moving her millions of soldiers into action against our forces.

Mr. President, I regret to have to say it but it should be said. The State Department should stop misleading the American people. It should stop lying to them.

It is shocking that the State Department should try to deceive the American people into accepting the alibi for our illegal action in South Vietnam by saying, "This show of force in southeast Asia is the only way to stop a little war before it becomes a big war." Shades of Hitler—that lie was also uttered by Hitler. Making war anywhere big or little endangers the peace of the world, and the State Department knows it. The State Department lies again when it seeks to leave the impression that those of us who are urging United Nations action in southeast Asia are urging a do nothing policy in South Vietnam which "would only give the Communists time to grab all of southeast Asia while the diplomats argue about what to do."

When the State Department spokesman said that he lied about our position. From the beginning of this historic debate those of us who have opposed McNamara's war in South Vietnam, and the illegal course of action in respect thereto, have urged

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that all of our SEATO allies should be asked to join with us in maintaining a peacekeeping force in South Vietnam until a United Nations peacekeeping corps would be sent in.

We have argued that the United States should stop making war in South Vietnam and start joining with our SEATO allies in making and preserving peace. There is a great difference—the difference between lawful conduct under international law and treaty obligations and international outlawry.

The State Department knows our position. Why does it lie about it? I think the only reason is this: The State Department knows we are right and it knows it cannot answer us with truthful answers. In my opinion the American people are beginning to see through the misrepresentations of the State Department.

The PRESIDING OFFICER. The extension of time in the morning hour has expired.

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the Mansfield-Dirksen substitute, amendment No. 1052.

Mr. RUSSELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

[No. 306 Leg.]

Aiken	Hart	Morton
Allott	Hayden	Moss
Anderson	Hickenlooper	Mundt
Bartlett	Hill	Muskie
Bayh	Holland	Nelson
Bennett	Hruska	Neuberger
Bible	Humphrey	Pastore
Boggs	Inouye	Pearson
Brewster	Jackson	Pell
Burdick	Javits	Proxmire
Byrd, Va.	Johnston	Randolph
Byrd, W. Va.	Jordan, N.C.	Ribicoff
Cannon	Jordan, Idaho	Robertson
Carlson	Keating	Russell
Case	Kennedy	Scott
Church	Kuchel	Simpson
Clark	Lausche	Smathers
Cooper	Long, Mo.	Smith
Cotton	Long, La.	Sparkman
Curtis	Magnuson	Stennis
Dirksen	Mansfield	Symington
Dodd	McCarthy	Talmadge
Dominick	McClellan	Thurmond
Douglas	McGee	Tower
Eastland	McGovern	Walters
Edmondson	McIntyre	Williams, N.J.
Ellender	McNamara	Williams, Del.
Ervin	Mechem	Yarborough
Fong	Metcalf	Young, N. Dak.
Goldwater	Miller	Young, Ohio
Gore	Monroney	
Gruening	Morse	

Mr. HUMPHREY. I announce that the Senator from Arkansas [Mr. FULBRIGHT] is absent on official business.

I also announce that the Senator from Indiana [Mr. HARTKE] is necessarily absent.

I further announce that the Senator from California [Mr. EWGLE] is absent because of illness.

Mr. KUCHEL. I announce that the Senator from Maryland [Mr. BEALL] is necessarily absent to attend the Maryland State Republican Convention in order to accept the nomination for U.S. Senator.

The Senator from Massachusetts [Mr. SALTONSTALL] is necessarily absent.

The PRESIDING OFFICER [Mr. MUSKIE in the chair]. A quorum is present.

Mr. STENNIS. Mr. President, I call up my amendment No. 570 and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 54, between lines 7 and 8, it is proposed to insert the following new title:

"TITLE XI—TRANSPORTATION OF PERSONS OR MATERIAL INTO STATE TO VIOLATE STATE LAW

"Sec. 1101. (a) Part I of title 18, United States Code, is amended by adding after chapter 113 the following new chapter:

"CHAPTER 114—TRANSPORTATION OF PERSONS OR MATERIAL TO VIOLATE STATE LAW

"Sec.

"2351. Transportation of persons or material to violate State law

"§ 2351. Transportation of persons or material to violate State law

"Whoever—

"(a) moves or travels in interstate or foreign commerce with the intent and purpose to commit a criminal offense under any law of any State, District, Commonwealth, or possession of the United States; or

"(b) aids and abets any person to move or travel in interstate or foreign commerce with the intent and purpose that such person commit such a criminal offense; or

"(c) transports any person, or aids and abets in the transportation of any person, in interstate or foreign commerce with the intent and purpose that such person commit such a criminal offense; or

"(d) transports any material, or aids and abets in the transportation of any material, in interstate or foreign commerce, with the intent and purpose that such material be used to commit, or be used in the commission of, such a criminal offense—

shall be fined not more than \$5,000, or imprisoned not more than five years, or both. Nothing in this section shall be construed as indicating an intent on the part of the Congress to deprive any State, District, Commonwealth, or possession of the United States of any jurisdiction over any offense over which it would have jurisdiction in the absence of such section."

"(b) The analysis of part I of title 18, United States Code, immediately preceding chapter 1 of such title, is amended by adding

"114. Transportation of persons or material into State to violate State law"

after

"113. Stolen property."

On page 54, line 8, strike out "XI" and insert "XII".

On page 54, lines 9, 14, 22, and 25, strike

insert "1201", "1202", "1203", and "1204", respectively.

Mr. STENNIS. Mr. President, on my amendment, I ask for the yeas and nays. The yeas and nays were ordered.

Mr. STENNIS. Mr. President, I have prepared some special points on the amendment. I ask that they be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. STENNIS. Mr. President, I yield myself 5 minutes.

I especially call this amendment to the attention of the Senate because I firmly believe that favorable action by the Senate to incorporate the amendment in the bill would prevent much strife, violence, even bloodshed, and perhaps even save lives. The amendment is what has been called by the press at one time the freedom riders amendment. It is a simple proposal.

The amendment would make it a Federal crime to cross a State line for the purpose of violating a State law. It is that simple. The amendment is well bottomed upon precedents of more than 50 years.

We already have what is called the Lindbergh law, passed some 30 years ago regarding kidnaping. Then there is the law which makes it a Federal crime to cross a State line with a stolen automobile. We have a Federal criminal statute dealing with fleeing across a State line to avoid prosecution. A forerunner of that law is the so-called White Slave Act, making it a violation of the law to cross a State line for the purpose of committing an immoral act. Also, there are the Federal gambling statutes that apply in the same way.

The activity of the freedom riders started in 1961, when people gathered in New York and other States and announced in advance that they would proceed into the Southern States for the express purpose of violating the laws of those States so as to be arrested and put in jail.

I refer particularly to the incidents in Greenwood, Miss., in 1963, when the people of that fine little city, with great patience and endurance, were kept under tension, stress, strain, and turmoil for something like 60 days. All kinds of marches, trespasses and blocking of traffic took place. The mayor, the police, and other responsible officials performed extraordinary service at that time in order to quell the disturbances. In the end, no one was seriously injured. However, there were times when the city was on the verge of the most serious kind of trouble.

According to press announcements, Mississippi and other States are already marked as special targets for hordes of people to be brought in to conduct schools and engage in activities of the kind I have described.

From the very beginning until now, there has been very little discouragement of this kind of activity by those in high places in the Federal Government.